

1 HOUSE BILL 241

2 **55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021**

3 INTRODUCED BY

4 Susan K. Herrera and Joy Garratt and Leo Jaramillo

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10 AN ACT

11 RELATING TO THE WATER TRUST BOARD; REQUIRING THE BOARD TO SET
12 ASIDE TEN PERCENT OF AN ALLOCATION FOR QUALIFYING WATER
13 PROJECTS FROM THE WATER PROJECT FUND FOR QUALIFYING WATER
14 PROJECTS THAT SERVE MUTUAL DOMESTIC WATER SYSTEMS IN URGENT
15 NEED.

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17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

18 SECTION 1. Section 72-4A-5 NMSA 1978 (being Laws 2001,
19 Chapter 164, Section 5, as amended) is amended to read:

20 "72-4A-5. BOARD--DUTIES.--

21 A. The board shall:

22 [~~A.~~] (1) adopt rules governing terms and
23 conditions of grants or loans recommended by the board for
24 appropriation by the legislature from the water project fund,
25 giving priority to projects that have been identified as being

.219120.4

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1 urgent to meet the needs of a regional water planning area that
2 has a completed regional water plan that has been accepted by
3 the interstate stream commission; that have matching
4 contributions from federal or local funding sources available;
5 and that have obtained all requisite state and federal permits
6 and authorizations necessary to initiate the project;

7 (2) set aside ten percent of the annual amount
8 to be allocated from the appropriation by the legislature from
9 the water project fund as grants to qualifying water projects
10 for qualifying water projects that serve mutual domestic water
11 systems in urgent need and adopt rules governing the terms and
12 conditions of those grants. For those mutual domestic water
13 systems, there shall be no matching contribution required.
14 Mutual domestic water systems shall not be required to be part
15 of an accepted regional water planning area in order to receive
16 priority points. Mutual domestic water system funding
17 recipients shall be required to obtain all requisite state and
18 federal permits and authorizations necessary as part of the
19 grant authorization and may use the funding proceeds to acquire
20 the required permits if approved;

21 ~~[B.]~~ (3) authorize qualifying water projects
22 to the authority that are for:

23 ~~[(1)]~~ (a) storage, conveyance or
24 delivery of water to end users;

25 ~~[(2)]~~ (b) implementation of federal

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1 Endangered Species Act of 1973 collaborative programs;
2 [~~3~~] (c) restoration and management of
3 watersheds;
4 [~~4~~] (d) flood prevention; or
5 [~~5~~] (e) water conservation or
6 recycling, treatment or reuse of water as provided by law; and
7 [~~6~~] (4) create a drought strike team to
8 coordinate responses to emergency water shortages caused by
9 drought conditions.

10 B. As used in this section, "mutual domestic water
11 system in urgent need" means a mutual domestic water consumers
12 association or other association organized pursuant to the
13 Sanitary Projects Act that is in need of funding to restore
14 service or to make necessary repairs or upgrades to ensure that
15 service will not be lost or impaired in the future."